

AMENDED IN ASSEMBLY APRIL 8, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2739**

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**Introduced by Assembly Member Blakeslee**

February 19, 2010

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~~An act to amend Section 8550 of the Government Code, relating to emergencies. An act to add Section 8670.15 to the Government Code, relating to oil spills.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2739, as amended, Blakeslee. ~~Emergencies. Oil spill prevention and response.~~

*The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act generally requires the administrator for oil spill response, acting at the direction of the Governor, to implement activities relating to oil spill response, including emergency drills and preparedness, and oil spill containment and cleanup, and to represent the state in any coordinated response efforts with the federal government.*

*This bill would require the administrator to prepare a sunken vessel imminent threat assessment and strategic response plan that identifies any sunken vessel off the California coast that meets certain criteria and outlines a strategic plan regarding the threat of a release of oil from the vessel. The bill requires the administrator to report his or her findings to the Legislature by June 1, 2011.*

~~The California Emergency Services Act confers emergency powers on the Governor and specified state officers and entities to mitigate the effects of natural, manmade, or war-caused emergencies that result in conditions of disaster or extreme peril to life and property.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 8670.15 is added to the Government Code,  
2     to read:  
3     8670.15. (a) *The administrator shall prepare a sunken vessel*  
4     *imminent threat assessment and strategic response plan that does*  
5     *both of the following:*  
6     (1) *Identifies any sunken vessel off the coast of California that*  
7     *meets all of the following criteria:*  
8     (A) *The vessel is within eight miles of the California coast.*  
9     (B) *The vessel is within 20 miles of a national marine sanctuary.*  
10    (C) *There is no party responsible for the vessel.*  
11    (D) *At the time the vessel sank, it contained more than one*  
12    *million gallons of oil.*  
13    (E) *A release of oil from the vessel is likely to pose a threat to*  
14    *California waters and shorelines, archaeological sites, wildlife,*  
15    *and the habitat on which the wildlife depends.*  
16    (F) *The vessel has not yet been classified as posing an imminent*  
17    *threat.*  
18    (2) *Outlines a strategic plan to do both of the following:*  
19    (A) *Identify studies that should be performed to determine*  
20    *whether there exists an imminent threat of a release of oil from*  
21    *the vessel, noting preferred and alternative methods of study with*  
22    *corresponding cost estimates.*  
23    (B) *In the event that it is determined that a threat exists, but the*  
24    *threat is not imminent, identify the recommended course of action*  
25    *to monitor the vessel, noting preferred and alternative methods of*  
26    *monitoring with corresponding cost estimates.*  
27    (b) *By June 1, 2011, the administrator shall report his or her*  
28    *findings to the Legislature.*  
29    (c) (1) *The requirement for submitting a report imposed under*  
30    *subdivision (b) is inoperative on June 1, 2015, pursuant to Section*  
31    *10231.5.*  
32    (2) *A report to be submitted pursuant to subdivision (b) shall*  
33    *be submitted in compliance with Section 9795.*

1     SECTION 1.—Section 8550 of the Government Code is amended  
2 to read:

3     8550.—The state has long recognized its responsibility to  
4 mitigate the effects of natural, manmade, or war-caused  
5 emergencies that result in conditions of disaster or in extreme peril  
6 to life, property, and the resources of the state, and generally to  
7 protect the health and safety and preserve the lives and property  
8 of the people of the state. To ensure that preparations within the  
9 state will be adequate to deal with such emergencies, it is hereby  
10 found and declared to be necessary:

11     (a) To confer upon the Governor and upon the chief executives  
12 and governing bodies of political subdivisions of this state the  
13 emergency powers provided herein; and to provide for state  
14 assistance in the organization and maintenance of the emergency  
15 programs of such political subdivisions.

16     (b) To provide for a state agency to be known and referred to  
17 as the California Emergency Management Agency (Cal EMA);  
18 within the office of the Governor, and to prescribe the powers and  
19 duties of the secretary of that agency.

20     (c) To provide for the assignment of functions to state agencies  
21 to be performed during an emergency and for the coordination and  
22 direction of the emergency actions of such agencies.

23     (d) To provide for the rendering of mutual aid by the state  
24 government and all its departments and agencies and by the  
25 political subdivisions of this state in carrying out the purposes of  
26 this chapter.

27     (e) To authorize the establishment of such organizations and  
28 the taking of such actions as are necessary and proper to carry out  
29 the provisions of this chapter.

30     It is further declared to be the purpose of this chapter and the  
31 policy of this state that all emergency services functions of this  
32 state be coordinated as far as possible with the comparable  
33 functions of its political subdivisions, of the federal government  
34 including its various departments and agencies, of other states,  
35 and of private agencies of every type, to the end that the most  
36 effective use may be made of all manpower, resources, and  
37 facilities for dealing with any emergency that may occur.